IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION NO.1369 OF 2005
IN
CRIMINAL APPEAL NO. 1006 OF 2002

Ramesh Taurani ..... Appellant.

versus

The State of Maharashtra)
through Sr.Inspector of Police)
DCB CID Mumbai)..... Respondents.

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Shri P.H. Ponda Sr. counsel with H.H.Ponda for the applicant.
Mrs. U.V.Kejariwal APP for State.

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CORAM ; V.G.PALSHIKAR &
SMT. NISHITA MHATRE, JJ.

DATED; 2ND MAY, 2005

P.C.;

1. By this application, the applicant original appellant in Criminal Appeal No.1006 of 2002 has prayed for directions to return the passport to the applicant, so that it can be renewed and he can travel abroad if and when necessary.

2. Atleast on three earlier occasions similar applications were made and granted wherein the pass port was returned to him so that he can travell and the

pass port was then required to be deposited back with the Prothonotary and Senior Master of this court on each occasions. When all those applications were decided the question of permanently returning the passport to the applicant was not given full consideration.

3. Present application is for similar prayers as the applicant desires to be abroad between 21st May 2005 and 12th August 2005. After the affidavit opposing the application was filed by the State, the respondent has filed additional affidavit supplying to this court the itinerary in which he wishes to follow and has given the details of addresses where he would be staying, the telephone numbers and the programme, according to which, he would be moving from place to place in certain foreign countries. On earlier occasions such permission was granted with certain conditions, which were obeyed by the applicant and the pass port was always returned.

4. Having considered the submissions made at the bar and having considered the past conduct of the applicant, we now feel that it would be proper to allow the applicant to retain his pass port permanently. So that he is not required to apply on every occasion

neither for renewal or for any other requirement in relation thereto. The Criminal Application No.1369 of 2005 is therefore allowed in the following conditions.

1) The applicant shall always take prior permission of this court before leaving this country for any assignment abroad.

2) While requesting for such permission entire itinerary of the proposed tour as has been filed with the affidavit this time, shall be furnished to this court.

3) This time when the applicant returns after 12th August 2005, by 20th August 2005 he shall file an affidavit sworn in India informing this court of his return to India.

4) Similar affidavits on every occasion that he returned to India shall be filed.

5) He shall also furnish solvent surety in this occasion in the sum of Rs. 10 lacs for his permanently carring out these conditions. The necessary surety be given to Prothonorary

and Senior Master of this court before leaving for any foreign country as mentioned in the schedule.

Application accordingly disposed of.

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